

Entered - 09/28/00 - sb  
CL00L0588 - DIANNE C. MITCHELL

CLAIM OF: ROBERT LAMAR FREEMAN,  
through his attorney,  
Yasma M. Patterson  
P. O. Box 2581  
LaGrange, Georgia 30241

00-*R*-1724

For damages alleged to have been sustained as a result of personal injuries  
due to an explosion on April 13, 2000 at 875 Norcross Street.

THIS ADVERSED REPORT IS APPROVED

BY: *Rosalind Rubens Newell*  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

## DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. **00L0588**

Date: October 10, 2000

Claimant /Victim **ROBERT LAMAR FREEMAN**

BY: (Atty.) Yasma M. Patterson

Address: P. O. Box 2581, LaGrange, Georgia 30241

Subrogation: \_\_\_\_\_ Claim for Property damage \$ \_\_\_\_\_ Bodily Injury \$ 25,000,000.00

Date of Notice: 09/26/00 Method: Written, proper X Improper       

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 04/13/00 Place: 875 Norcross Street

Department \_\_\_\_\_ Division: \_\_\_\_\_

Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

NATURE OF CLAIM: The claimant alleges he was injured due to an explosion at the above stated location. The investigation determined that this property is owned and operated by the Atlanta Housing Authority. The Atlanta Housing Authority is a separate legal entity from the City of Atlanta. The claimant's attorney has been advised of the above.

**INVESTIGATION:**

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_

Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police \_\_\_\_\_ Dept Report \_\_\_\_\_ Other \_\_\_\_\_

Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

**BASIS OF RECOMMENDATION:**

Function: Governmental \_\_\_\_\_ Ministerial \_\_\_\_\_

Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable \_\_\_\_\_

City not involved	X	Offer rejected	Compromise settlement
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Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_

Claimant Negligent	City Negligent	Joint	Claim Abandoned
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Respectfully submitted,

INVESTIGATOR - DIANNE C. MITCHELL

**RECOMMENDATION:**

Pay \$ 100.00 Adverse X Account charged: 1A01      2J01      2H01     

Claims Manager: [Signature] Concur/date 10-10-20

Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_



**PATTERSON & PATTERSON, P.C.**  
ATTORNEYS AT LAW

119 RIDLEY AVENUE • SUITE 302  
P.O. Box 2581  
LAGRANGE, GA 30241  
(706) 812-0200  
FAX (706) 812-1155

*M. J. Hill*  
*09/26/00*  
*Jem*

JACKIE G. PATTERSON, M.P.A., J.D., L.L.M.  
LICENSED TO PRACTICE:  
STATE OF GEORGIA  
U.S. SUPREME COURT  
U.S. COURT OF MILITARY APPEALS

August 15, 2000

Atlanta City Council  
Councilman Robb Pitts, President  
55 Trinity Avenue S.W.  
Suite 2900  
Atlanta, Georgia 30335

ENTERED - 9-28-00 - SB  
00L0588 - DIANNE MITCHELL

YASMA M. PATTERSON, B.S.N., R.N., J.D.  
LICENSED TO PRACTICE:  
STATE OF GEORGIA  
STATE OF TEXAS  
U.S. COURT OF MILITARY APPEALS

Re: SERVICE OF ANTE LITEM NOTICE as required per O.C.G.A. 36-33-5

Name: Robert Lamar Freeman  
D.O.L.: 04/13/00  
Location: Harris Homes  
Nature of injury: Burns

Dear Ms. Glover,

My law firm has been retained by Robert Lamar Freeman to represent him in a personal injury claim that he has against the City of Atlanta Housing Authority when he sustained burns over fifty percent (50%) of his body on April 13, 2000. Mr. Freeman was a pedestrian along 875 Norcross Street, Atlanta, Georgia (Harris Homes), when he stopped to light a cigarette, at which time an explosion occurred. He was transported to Grady Memorial Hospital with critical burns. The Atlanta Fire Department was called to the scene and advised in their report that this was a natural gas explosion ignited by a spark.

At the time of the occurrence, the location was abandoned, and there were no barriers to keep a pedestrian a safe distance away from the buildings if there were any obvious dangers. Obviously, a natural gas leak is not a visible danger that could have been avoided. Therefore, there was nothing that Mr. Freeman could have done to avoid the explosion. However, he is asserting that the City of Atlanta Housing Authority was negligent by allowing the natural gas service to continue to the buildings, when they were abandoned and not having any barriers present to keep pedestrian traffic away from the hazards of an abandoned buildings. Immediately after the explosion, remedial steps were taken and the gas service was discontinued and fencing was placed around the perimeter of the building.

Mr. Freeman was hospitalized at Grady Memorial Burn unit for two (2) months prior to be transferred to Warm Springs Institute for Rehabilitation, where he received treatment until July 7, 2000. Needless to say, Mr. Freeman has endured tremendous pain and suffering, a loss of body image and permanent disfigurement. He is seeking \$25,000,000.00 (twenty-five million dollars) from the City of Atlanta Housing Authority for damages. This letter is served according to O.C. G. A. 36-33-5. At the expiration of the specified time, Mr. Freeman plans to file a lawsuit if the City of Atlanta has not made provisions to settle this matter. My law firm has been in contact with Willis Administrative Services Corporation, the TPA for the Housing Authority, so this letter is served on your office at this time in order to comply with Georgia law.

We look forward to resolving this matter as amicably and expeditiously as possible.  
Should you have any questions please feel free to telephone my office.

Sincerely,  
  
Yasma M. Patterson

cc: City of Atlanta Council President,  
Robb Pitts

file

00- R-1724